

REMARKS

I. Introduction

Claims 1-11 are pending in the case.

Claim 1 is rejected for non-statutory and obviousness type double patenting. Applicants respectfully request that in view of the amendments to claim 1, and the addition of dependent claims 2-11 specifying additional patentable features over the prior art, that the pending claims are patentably distinct, and that the double patenting rejections be withdrawn.

Claim 1 is rejected under 35 USC § 102(e) as anticipated by U.S. Patent No. 6,161,111 to Mutalik et al. ("Mutalik").

Reconsideration of this application in view of the following remarks is respectfully requested.

II. The Rejections Under

Claim 1 is rejected under 35 USC § 102(e) as anticipated by U.S. Patent No. 6,161,111 to Mutalik et al. ("Mutalik"). Applicants respectfully traverse this rejection in view of the amendments above.

Claim 1, as amended, specifies a data retrieval system having a software application that includes a browsing application program configured to display information relating to data to be retrieved. Using applicants claimed invention, a user may specify data to be retrieved and review certain characteristics of that data. Moreover, the user may obtain more detailed information regarding data characteristics of interest which may include version number, backup date, file size, etc. One benefit of this arrangement is it allows the user to determine or confirm whether a certain file to be retrieved is of interest. Mutalik fails to show or suggest these features anywhere. Accordingly, applicant submits that claim 1 as amended, and new dependent claims

2-11, which specify additional patentable features, are allowable over Mutalik and the other prior art of record either alone or in combination. Thus, applicants respectfully requests the rejection under 35 USC § 102(e) be withdrawn.

III. Conclusion

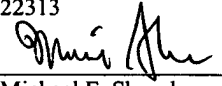
For at least these reasons set forth above, applicants respectfully submit that independent claim 1 and the claims that depend therefrom are allowable over the prior art of record.

Reconsideration and allowance of the pending claims is respectfully requested.


Respectfully submitted,

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I hereby certify that the correspondence attached herewith is being transmitted via Express Mail to the Commissioner for Patents, Alexandria, VA 22313


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